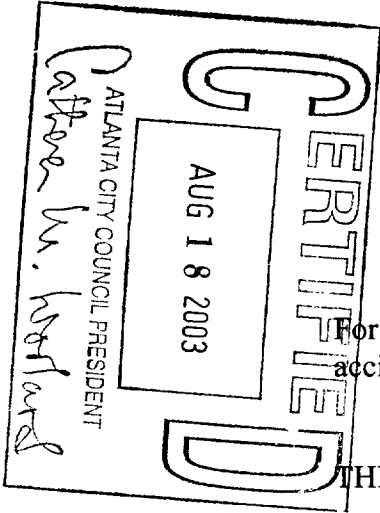


Entered - 03/05/03 - sb  
CL03L0162 - DIANNE C. MITCHELL

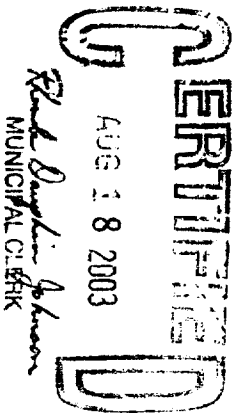
CLAIM OF: **SHAKITA LINSON AND  
LUKETAVIOUS COLLINS, a minor,**  
through their attorney,  
**Leroy R. Johnson**  
Suite 260  
3915 Cascade Road, SW  
Atlanta, Georgia 30331

**03-R -1164**



For damages alleged to have been sustained as a result of a vehicular  
accident on October 2, 2002 at Boulevard and Custer Avenue.

THIS ADVERSED REPORT IS APPROVED



BY:   
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY

**ADVERSED**  
AUG 18 2003

ADVERSE REPORT
COMM. <u>Public Safety</u>
DATE <u>7-29-03</u>
CHAIR <u>[Signature]</u>
<u>[Signature]</u>
<u>[Signature]</u>
<u>[Signature]</u>
<u>[Signature]</u>



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

August 28, 2003

Leroy R. Johnson  
Attorney at Law  
3915 Cascade Rd., SW  
Suite 260  
Atlanta, GA 30331

03-R-1164

RE: Shakita Linson and Luketavious  
Collins, a

Dear Attorney Johnson:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on August 18, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0162

Date: July 8, 2003

Claimant /Victim SHAKITA LINSON AND LUKETAVIOUS, a minor  
BY: (Atty) Leroy R. Johnson  
Address: Suite 260, 3915 Cascade Road, SW, Atlanta, Georgia 30331  
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated  
Date of Notice: 02/19/03 Method: Written, proper X Improper         
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 10/02/02 Place: Boulevard and Custer Avenue  
Department Public Works Bureau: Traffic and Transportation  
Employee involved        Disciplinary Action:       

NATURE OF CLAIM: The claimant alleges her minor son was injured when he was struck by a privately owned and operated vehicle. The claimant further alleges that the school flasher light was not working properly. However, the investigation determined that the City had no notice of any problems with the school flasher light prior to the accident involving the claimant's minor son.

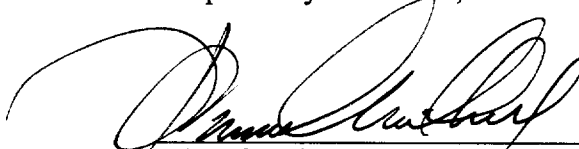
### INVESTIGATION:

Statements: City employee        Claimant        Others        Written        Oral         
Pictures X Diagrams        Reports: Police X Dept Report X Other         
Traffic citations issued: City Driver X Claimant Driver         
Citation disposition: City Driver        Claimant Driver       

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial         
Improper Notice        More than Six Months        Other X Damages reasonable         
City not involved        Offer rejected        Compromise settlement         
Repair/replacement by Ins. Co.        Repair/replacement by City Forces         
Claimant Negligent        City Negligent        Joint        Claim Abandoned       

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

### RECOMMENDATION:

Pay \$        Adverse X Account charged: 1A01        2J01        2H01        2P01         
Claims Manager: Dianne C. Mitchell Concur/date 07-14-03  
Committee Action:        Council Action

RCS# 4947  
8/18/03  
2:06 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS. 1-11, EXCEPT:03-R-1165,  
03-R-1170, 03-R-1171,03-R-1172,03-R-1210  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 4948  
8/18/03  
2:07 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I  
03-R-1170, 03-R-1171, 03-R-1172, 03-R-1210  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 1  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

Y Smith	B Archibong	Y Moore	A Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

		8/18/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1105 2. 03-O-0720 3. 03-O-0780 4. 03-R-1169 5. 03-R-1197 6. 03-R-1198 7. 03-R-1199 8. 03-R-1200 9. 03-R-1201 10. 03-R-1168 11. 03-R-1170 12. 03-R-1171 13. 03-R-1172 14. 03-R-1209 15. 03-R-1210 16. 03-R-1173 17. 03-R-1174 18. 03-R-1184 19. 03-R-1189 20. 03-R-1190 21. 03-R-1211 22. 03-R-1194 23. 03-R-1195 24. 03-R-1196 25. 03-R-1176 26. 03-R-1177 27. 03-R-1178 28. 03-R-1179 29. 03-R-1180 30. 03-R-1192	31. 03-R-1138 32. 03-R-1139 33. 03-R-1140 34. 03-R-1141 35. 03-R-1142 36. 03-R-1143 37. 03-R-1144	38. 03-R-1145 39. 03-R-1146 40. 03-R-1147 41. 03-R-1148 42. 03-R-1149 43. 03-R-1150 44. 03-R-1151 45. 03-R-1152 46. 03-R-1153 47. 03-R-1154 48. 03-R-1155 49. 03-R-1156 50. 03-R-1157 51. 03-R-1158 52. 03-R-1159 53. 03-R-1160 54. 03-R-1161 55. 03-R-1162 56. 03-R-1163 57. 03-R-1164

Consent I Vote: 13 Yeas; 0Nays: (See RCS #4947)

Items Removed from the Consent Agenda: 03-R-1165; Mitchell abstained on 03-R-1170; 03-R-1171; 03-R-1172; & 03-R-1210